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SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES

RAYMOND GARVIN,)
)
Plaintiff,)
)
vs.) Case No.: BC694158
)
CITY OF LOS ANGELES; and DOES 1)
through 100, Inclusive,)
)
Defendants.)
_____)

DEPOSITION OF SERGEANT RANDY GOENS
TARZANA, CALIFORNIA
TUESDAY, JUNE 25, 2019

Reported by: Jinna Grace Kim, CSR No. 14151
Job No.: 248882

RAYMOND GARVIN vs CITY OF LOS ANGELES, ET AL.
Sergeant Randy Goens on 06/25/2019

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES

RAYMOND GARVIN,)	
)	
Plaintiff,)	
)	
vs.)	Case No.: BC694158
)	
CITY OF LOS ANGELES; and DOES 1)	
through 100, Inclusive,)	
)	
Defendants.)	
_____)	

The deposition of SERGEANT RANDY GOENS, taken on behalf of the Plaintiff, at 18801 Ventura Boulevard, Suite 208, Tarzana, California 91356, beginning at 10:07 a.m., and ending at 12:17 p.m., on Tuesday, June 25, 2019, before Jinna Grace Kim, Certified Stenographic Shorthand Reporter No. 14151.

RAYMOND GARVIN vs CITY OF LOS ANGELES, ET AL.
Sergeant Randy Goens on 06/25/2019

1 APPEARANCES OF COUNSEL:

2

3 For the Plaintiff:

4 SALUTE LAW
BY: KEVIN SALUTE, ESQ.
5 18801 Ventura Boulevard, Suite 208
Tarzana, California 90212
6 Tel: 818-777-7894
Fax: 818-777-7895
7 E-mail: kevin@salutelaw.com

8

9 For the Defendants:

10 LOS ANGELES CITY ATTORNEY'S OFFICE
BY: DENNIS KONG, ESQ.
11 200 N. Main Street, 7th Floor
Los Angeles, California 90012
12 Tel: 213-978-2213
Fax: 213-978-2212
13 E-mail: dennis.kong@lacity.org

14

Also present: Ray L. Rodriguez, Legal Affairs Division; LAPD
15 Raymond Garvin, Plaintiff

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RAYMOND GARVIN vs CITY OF LOS ANGELES, ET AL.
Sergeant Randy Goens on 06/25/2019

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RAYMOND GARVIN vs CITY OF LOS ANGELES, ET AL.
Sergeant Randy Goens on 06/25/2019

1 TARZANA, CALIFORNIA

2 TUESDAY, JUNE 25, 2019

3 10:07 A.M.

4 RANDY GOEN,

5 called as a witness on behalf of the Plaintiff, having been
6 first duly sworn, was examined and testified as follows:

7 EXAMINATION

8 BY MR. SALUTE:

9 Q. Good morning.

10 My name is Kevin Salute. I'm an attorney. I
11 represent Ray Garvin in a lawsuit that he has brought against
12 the City of Los Angeles, and we're here today for your
13 deposition.

14 Do you understand that?

15 A. Yes.

16 Q. And can you please state your full name and spell it
17 for the record.

18 A. Randy Goens, R-a-n-d-y, G-o-e-n-s.

19 Q. All right. And what is your current rank?

20 A. Sergeant II.

21 Q. And what is your assignment?

22 A. Emergency Services Division, Bomb K9 Section.

23 Q. Have you ever had your deposition taken before?

24 A. Yes.

25 Q. Was it recently?

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1 A. About ten years ago.

2 Q. I'll just run over the ground rules just to refresh
3 your memory. Person sitting to your right is a court
4 reporter. She's going to take down everything that's said by
5 you, me, or anybody else during the course of today's
6 proceeding. Even though we're in a conference room and it's
7 informal, we need to kind of proceed like as if we were in a
8 courtroom. That means, question-answer, that kind of thing.

9 So please wait until I'm done with my question
10 before you respond so that we have a clean record.

11 Okay? So if you picture in your mind's eye a
12 transcript, and it's got question, answer, question, answer,
13 that's kind of how we want it to read.

14 Okay?

15 A. Okay.

16 Q. And at the conclusion of the deposition the court
17 reporter is going to prepare a transcript which -- of your
18 testimony, my questions, which will be sent to counsel for
19 the City who will provide it to you to read, review, and sign
20 under penalty of perjury, and you can make changes as you see
21 fit.

22 Okay?

23 A. Okay.

24 Q. Is there any reason why you cannot proceed with
25 your deposition today?

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1 A. No.

2 Q. Have you taken any medication that might affect your
3 ability to recall events as you sit hear today?

4 A. No.

5 Q. One of the things that may occur today is you may --
6 I may ask you a question and it may relate to a date or
7 something of that nature, and you might not recall the exact
8 date, but you might have an estimate as to when the date or
9 the event might have occurred, meaning --

10 (Cell phone interruption.)

11 A. Can I just pause that on the side?

12 I want to turn it off.

13 Q. Yeah.

14 A. I apologize.

15 Q. Good?

16 A. Yeah. I apologize for that.

17 Q. That's all right. Getting back to what I was
18 saying, I am going to ask you about some events which you may
19 or may not have a specific recollection of when something may
20 have occurred, but you may recall that it occurred during a
21 certain time of year, a certain month and year, that kind of
22 thing.

23 I'm entitled to your best estimate if you have one.

24 I don't want you to guess, though.

25 Do you know the difference between a guess and an

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1 estimate?

2 A. Yes.

3 Q. All right. And the other thing that I just want to
4 make clear is I'm here to ask you about your own personal
5 knowledge, not things that may cause you to speculate or to
6 surmise that if this occurred, that occurred, this occurred,
7 that occurred, that kind of thing.

8 So I just want you to understand I'm just here to
9 ask you based on the what you know.

10 Okay?

11 A. Got it.

12 Q. And so getting back to the your current rank and
13 assignment, how long have you been a Sergeant II in the Bomb
14 K9 Section?

15 A. Since March of 2012.

16 Q. And at the time that you came into the Bomb K9
17 Section, who was your supervisor?

18 A. Ray Garvin.

19 Q. Was Kathy Meek your supervisor, direct supervisor,
20 in the Bomb K9 Section?

21 A. She currently is.

22 Q. Okay. Prior to Ray Garvin -- well, here's what I'm
23 trying to get at.

24 A. Okay.

25 Q. It's my understanding that prior to Ray being the

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1 Lieutenant II at Bomb K9 Kathy Meek was the lieutenant
2 officer in charge of Bomb K9.

3 So did she ever supervise you in that capacity?

4 A. No.

5 Q. Now, when you say that she's currently your direct
6 supervisor?

7 A. No. She's a commanding officer.

8 Q. So is there another lieutenant that is sort of a
9 layer between you and her?

10 A. Yes.

11 Q. Who is that?

12 A. Jim Louis.

13 Q. Is he a lieutenant too?

14 A. Yes.

15 Q. Did he take the place of Ray Garvin?

16 A. Yes.

17 Q. And how long has Jim Louis been your supervisor?

18 A. Approximately a year and a half to two years.

19 Q. And when you came over to the Bomb K9 Section in
20 about March of 2012, was there another Sergeant II that was
21 working in the unit?

22 A. Yes.

23 Q. Do you recall who that was?

24 A. Mitch Lamdin.

25 Q. Is he still in the unit?

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1 A. No.

2 Q. Did he transfer or retire?

3 A. Retired.

4 Q. Do you remember when approximately he retired?

5 A. It was in the summer, but I forget what year.

6 It was approximately two years ago, two-plus years
7 ago.

8 Q. And did Sergeant Deana Stark take his place?

9 A. Yes.

10 Q. From March of 2012 until -- well, do you recall when
11 Ray Garvin was transferred out of the unit approximately?

12 A. Not exactly.

13 Q. Let me ask it this way.

14 When you came into the unit in March of 2012, did
15 you work a particular watch?

16 A. Yes.

17 Q. What watch did you work?

18 A. The afternoon or p.m's that it's called.

19 Q. And was Lamdin working a different watch?

20 A. Yes.

21 Q. What was he working?

22 A. The day shift or days.

23 Q. And afternoon would start when approximately?

24 A. 12 o'clock in that area for supervisors.

25 Q. And what about for the officers?

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1 A. 3 o'clock.

2 Q. And what about day shift, when would that start?

3 A. 5:00 a.m.

4 Q. For the sergeant or the officers?

5 A. Both.

6 Q. And when would that day shift end?

7 A. 3 o'clock.

8 Q. Okay. So there is always coverage, in other words.

9 A. Yes.

10 Q. And then so the 3:00 p.m. would stop at 5:00.

11 So eight-hour shifts or something?

12 A. It stopped at 1:00 in the morning.

13 It was a ten-hour shift for the officers.

14 Q. How many officers did you supervise in the afternoon
15 shift generally?

16 MR. KONG: Objection. Vague as to time.

17 You can answer.

18 THE WITNESS: Four.

19 BY MR. SALUTE:

20 Q. And how many would Lamdin generally supervise?

21 A. Four.

22 Q. Okay. So it's four and four.

23 You don't supervise the Los Angeles World Airport
24 Police Bomb Dogs too, do you?

25 A. In related to K9 Bomb Detection functions, yes.

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1 As far as direct supervision from their agency, no.

2 Q. Now, going back to -- this is when you started in
3 2012, the four officers that you supervised, did those four
4 officers remain fairly constant, I guess, through the time
5 that Lamdin was there?

6 In other words, the ones that you supervised.

7 MR. KONG: Objection. Vague.

8 You can answer if you understand.

9 BY MR. SALUTE:

10 Q. Do you understand what I'm saying?

11 A. Not really.

12 Q. Did you always supervise the same officers, or did
13 it change?

14 A. There was some deviation in personnel, but for the
15 most part it stayed the same.

16 Q. Who were the four officers that you generally
17 supervised?

18 A. Ryan Whiteman, Ed Dominguez, Scott Schube, Gary
19 Martin -- excuse me, Gary Newton.

20 Just to kind of correct an answer, the four I felt
21 you asked on a daily basis. There was actually about six to
22 seven on the afternoon shift. So the remaining two would be
23 Mark Sauvao -- and I can't recall who might be the last one
24 or two.

25 Q. So just to clarify, so on a daily basis there would

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1 be four officer assigned to a shift, but basically six or
2 seven officers that would be in your or under your
3 supervision; is that fair to say?

4 I'm not trying to put words in your mouth. I'm
5 just --

6 A. Seven officers assigned to the afternoon shift.

7 How many worked that day might be from three to
8 four, so on a daily basis.

9 Q. Okay. And then the day shift officers, do you
10 recall who those officers were?

11 A. I think I do.

12 Q. Who were those?

13 A. Donna Odle, Tom Davryn, John Borquez, John Long,
14 Laurie Harrington, Tom Deluscia -- and I can't think of
15 anybody else at this particular moment.

16 Q. And --

17 A. Excuse me, Vanessa Kurgy for the day shift.

18 Q. And at the time that Garvin was -- what do you refer
19 to him as?

20 The officer in charge of the section?

21 A. Yes.

22 Q. At the time that Garvin was the officer in charge of
23 the section, were the officers -- did they have overtime
24 opportunities in working shifts?

25 A. Yes.

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1 Q. And was there some way in which the overtime was
2 distributed, or how was it distributed?

3 A. There was a stand-by overtime during the off hours
4 of operation that personnel would -- for the day and p.m.
5 watch shift and that went on a rotational basis.

6 There was mail overtime every other day as we split
7 the opposite days with the Airport Police K9 Section.
8 Officers had the opportunity to sign up on a board based on a
9 rotation, and on occasion there was back fill opportunities
10 to meet our minimums for the day and that went on depending
11 on the emphasis of when it was needed immediately. It might
12 have been first come, first serve, or we took in the
13 interested personnel that made the selection from there, try
14 to distribute it fairly.

15 Q. Did Garvin have any input into how the overtime was
16 distributed?

17 A. The ones where we took the input in to see who was
18 going to get the opportunity to work particular detail, he
19 had some input in it.

20 How much, I don't recall.

21 Q. Did you have input into who worked overtime?

22 A. Yes.

23 Q. What was your involvement in the overtime issue?

24 A. To get a interest list of who was interested in the
25 shift, planned in the future, and to see who had worked in

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1 the past, and try to distribute it fairly.

2 Q. Were there issues during the time that Garvin was
3 the officer in charge of the section about unfair
4 distribution of overtime?

5 A. Could you repeat that question, please?

6 Q. Do you recall any issues arising during the time
7 that Garvin was the officer in charge of the section from
8 officers claiming that the overtime wasn't distributed in a
9 fair manner?

10 A. Yes --

11 Q. Follow me?

12 A. I believe I do, yes.

13 Q. And who do you recall any of the officers that
14 raised that issue?

15 A. Mark Sauvao.

16 Q. What was the issue that he raised?

17 A. Mark, in my opinion, seemed to have the perception
18 that he was entitled to work overtime and that he should be
19 selected more regularly than others.

20 Q. Is that something he told you, or he just brought it
21 to Garvin's attention -- well, let me ask it this way.

22 Did it come to your attention that he had an issue
23 with the overtime?

24 A. He asked me why he didn't get an opportunity to work
25 something.

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1 Q. Did he raise that on one occasion, more than one
2 occasion?

3 A. More than one occasion.

4 Q. About how many times did he bring up the overtime
5 issue?

6 A. Five or six.

7 Q. And so on those five or six occasions we was
8 basically inquiring about why he wasn't selected to work an
9 overtime opportunity?

10 A. Yes.

11 Q. And did you respond to him?

12 A. Yes.

13 Q. What did you say?

14 A. I informed him that we try to make it fair and give
15 everybody an equal share of the pie when we have the
16 opportunity in a pre-planned overtime detail.

17 Q. Was he just speaking for himself, or he was saying,
18 "Hey, you guys are not distributing overtime fairly to
19 everybody including myself?"

20 A. When I spoke to him he spoke for himself.

21 Q. So he just basically conveyed to you that he felt
22 that he should have been selected or the overtime
23 opportunity?

24 A. Yes.

25 Q. Did he say why?

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1 A. Yes.

2 Q. What did he say?

3 A. Because he had five mouths to feed.

4 Q. Meaning, he had five people in his family he needed
5 to feed?

6 A. I know he had multiple kids.

7 Q. Okay. Did he raise any other issues to why he felt
8 it was unfair?

9 A. Other than what I stated, no.

10 Q. He never brought up that he felt he was being
11 discriminated against or anything like that?

12 A. No.

13 Q. Other than Sauvao bringing up the issue of unfair
14 distribution of overtime, did any of the other officers on
15 your night watch crew, sort of speak, did they ever bring up
16 the issue to you about unfair distribution of overtime?

17 A. No.

18 Q. What about any in the day watch, did they ever
19 address with you that they felt that there was unfair
20 distribution of overtime?

21 A. Yes.

22 Q. Who else brought that up?

23 A. John Borquez mentioned it.

24 Q. What did Borquez say?

25 A. He had asked what the method used was to determine

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1 who was going to work overtime.

2 Q. And how did this come up?

3 A. Just on a conversation.

4 Q. Where?

5 A. At the Bomb K9 office.

6 Q. And what did you tell him?

7 A. First of all, they have to be available, had to be
8 on a day off or it has to go in conjunctive with our watch
9 hours, and that we selected it based upon equal distribution
10 to everybody when we had the opportunity to do so.

11 And that was it.

12 Q. And did he say anything about why he felt -- well,
13 first of all, did he -- was he just inquiring about how it
14 was being distributed, or was he complaining that he felt
15 that it was unfair in how it was being distributed?

16 A. I think he was inquiring just on how it was being
17 distributed.

18 Q. Did he mention to you anything about the fact that
19 he felt that it was being unfairly distributed?

20 A. No.

21 Q. So other than those two anybody else inquire to you
22 about distribution of overtime?

23 A. Not that I remember, no.

24 Q. Were you present in any conversations with -- where
25 Garvin was present, where the issue of unfair distribution of

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1 overtime was discussed?

2 A. I don't remember.

3 Q. Was there a certain number of hours that -- like a
4 cap on the overtime that could be distributed?

5 In other words, certain, let's say, divisions, have
6 a certain number of hours that they're given for overtime to
7 their unit or their area, did the Bomb K9 have something like
8 that?

9 MR. KONG: Objection. Assumes facts not in
10 evidence.

11 But go ahead. You can answer if you understand and
12 know about that matter.

13 THE WITNESS: I know there was a budget amount of
14 overtime. However, much of our overtime came from the
15 Airport Police Department that I have been speaking of.

16 BY MR. SALUTE:

17 Q. But you don't know if there was an actual hard cap
18 on the number of hours?

19 A. I know Lieutenant Garvin said that there was a
20 budget at one time. However, he didn't know if we truly had
21 that budget based upon what he had told me and his
22 conversations with other commanding officers of emergency
23 services.

24 So I really don't know what that number was.

25 Q. Other than overtime issues during the time that

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1 Garvin was the officer in charge of the Bomb K9 Unit, did any
2 of the officers that worked afternoon watch or night watch,
3 whatever it is, ever complain to you that they felt that
4 Garvin was treating them unfairly?

5 A. No.

6 Q. What about anybody from day watch, did anybody from
7 day watch ever come to you and make mention of the fact that
8 they felt that Garvin was treating them unfairly in
9 any way?

10 A. No.

11 Q. Did anybody, during the time that Garvin was the
12 officer in charge, come to you and make mention of the fact
13 that they felt that Garvin was acting in a discriminatory
14 manner towards them?

15 A. No.

16 Q. Did anybody come to you during the time that Garvin
17 was the officer in charge of the Bomb K-9 Unit and complain
18 to you that Garvin was creating any kind of hostile work
19 environment?

20 A. No.

21 Q. Now, at some point Kathy Meek became the captain
22 over the Bomb K9 Unit; right?

23 A. Yes.

24 Q. Do you recall when that was?

25 A. Around March of 2016.

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1 Q. Prior to her becoming captain had you ever worked
2 with her before?

3 A. Yes.

4 Q. Where have you worked with her?

5 A. In the Southeast Division.

6 Q. Was she the captain there?

7 A. No.

8 Q. So what was -- in what capacity did you work with
9 her?

10 A. She was a field supervisor.

11 Q. Sergeant?

12 A. Sergeant, yes.

13 Q. So she was a Patrol Sergeant?

14 A. Yes.

15 Q. And what was your position?

16 A. Patrol.

17 Q. You were a Patrol Officer?

18 A. Patrol as well as a Senior Lead Officer.

19 Q. Was she the Senior Lead Sergeant?

20 A. No.

21 Q. So you just worked with her as a Field Sergeant.

22 I'm just trying to clarify.

23 A. She was a Field Sergeant and in essence supervised
24 me when I was in the field, yes.

25 Q. So did she prepare performance evaluations for

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1 you?

2 A. I don't recall if she ever did one for me.

3 Q. How long did you work with her at Southeast?

4 A. Approximately five years.

5 Q. Okay. But during those five years she wasn't your
6 Patrol Sergeant the entire time, was she?

7 A. No.

8 Q. So during -- well, how much of the five years would
9 you say that she was actually your Field Sergeant, would you
10 say?

11 A. Two to three years.

12 Q. Do you have a good relationship with her, working
13 relationship?

14 A. In my opinion, no.

15 Q. Okay. What were the issues with her as your
16 supervisor?

17 A. I wish I could tell you, but I can't. I don't
18 know.

19 Q. Oh, she had an issue with you?

20 A. I believe so.

21 Q. Okay. What lead you to believe that?

22 A. A feeling, the working environment, the feeling of
23 my opinion was -- my opinion was she just didn't care for me
24 as well as my partner who I worked with for quite awhile at
25 Southeast. I don't think she cared for either one of us, and

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1 he and I had discussions that she didn't care for us.

2 Q. Other than working with her at Southeast and then --
3 well, between the time that you worked with her at Southeast
4 until the time that she became the captain at -- is it over
5 at Emergency Services Division?

6 A. Yes.

7 Q. So between those two times did you work with her
8 again, or there was just those two times?

9 A. Just those two particular times.

10 Q. Okay. Now, when she came over and became the
11 captain in or about March of 2016, was there some kind of,
12 like, many times there is a command staff briefing kind of a
13 thing.

14 Did she have something like that?

15 A. She met with personnel from the section at the Bomb
16 K9 offices, yes.

17 Q. Were you one of the people she met with?

18 A. Collectively as a group, yes.

19 Q. So tell me about that.

20 A. She met with the group, and at the time she
21 explained her rationale for moving the three Bomb Detection
22 City Team, not the TSA Teams that work at the airport, from
23 the section of Bomb K9.

24 Q. The City Teams, those are the non-TSA certified
25 dogs?

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1 A. Yes.

2 Q. So those are the ones that can -- well, can they
3 work -- were they working in the airport?

4 MR. KONG: Objection. Vague.

5 BY MR. SALUTE:

6 Q. Let me ask it this way.

7 What is the difference between a non-TSA certified
8 dog and the certified teams?

9 A. A non-TSA dog gets a certification from an outside
10 vendor, a private company. They use a different training
11 methods. The TSA is obviously part of Homeland Security
12 Department of Homeland Security. It's a program that has
13 rules and regulations all throughout the United States
14 including Guam and Puerto Rico. And there is different
15 standards to test, to evaluate, to determine if they're
16 certified, and although they perform the same function,
17 everything about the program is different.

18 Q. And so one of the things that I've taken from what
19 you're telling me is shortly after Meek became captain, she
20 moved three of the teams over to the Bomb Squad; is that
21 what you said?

22 MR. KONG: Objection. Misstates testimony.
23 Foundation.

24 You can go ahead and answer.

25 THE WITNESS: I didn't say that. I said they

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1 transferred them from our section.

2 BY MR. SALUTE:

3 Q. Okay. So where do they go then?

4 A. To the Bomb Squad.

5 Q. Okay. So they were transferred from the Bomb
6 Detection K9 Unit to the Bomb Squad?

7 A. Yes.

8 Q. Did that create some kind of dissension within the
9 Bomb Detection K9 Unit?

10 MR. KONG: Objection. Vague.

11 You can answer.

12 And also foundation.

13 THE WITNESS: Could you repeat that part of the
14 question, please.

15 BY MR. SALUTE:

16 Q. I'm just trying to understand when that occurred,
17 did that create some dissension within the Bomb Detection K9
18 Unit.

19 A. For the supervisors, it did.

20 Q. What was the issue?

21 A. The issue was that the move was made, as I recall,
22 prior to her even being officially on the transfer, and there
23 was no firsthand knowledge of how things operated, in my
24 opinion, based upon what I knew, and she did it from -- she
25 transferred him them from patrol station in an assignment

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1 where there wasn't really any working interaction with the
2 Bomb K9 Section.

3 So my question was based on what -- what is the
4 rationale for, for removing these three handlers from our
5 section and moving them to a different section.

6 Q. Did you ever get some explanation from her as to why
7 she did that?

8 A. In the section meeting that she addressed everybody,
9 one thing that I remember is that she said, better
10 supervisory oversight.

11 Q. Did she explain during that meeting why she felt
12 there was a lack of supervisory oversight?

13 A. No.

14 Q. Did she explain who was responsible for the lack of
15 supervisory oversight?

16 MR. KONG: Objection. Misstates testimony.

17 Go ahead. You can answer.

18 THE WITNESS: No.

19 BY MR. SALUTE:

20 Q. Did you have any understanding as to what she meant
21 by lack of supervisory oversight?

22 MR. KONG: Objection. Assumes facts not in evidence
23 and misstates testimony.

24 Go ahead. You can answer.

25 THE WITNESS: No.

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1 BY MR. SALUTE:

2 Q. Who were the three teams that were moved over?

3 A. Tom Deluscia, Vanessa Kurgy, and Ed Dominguez.

4 Q. So by transferring them to the Bomb Squad, they were
5 no longer then being supervised by yourself or Garvin or the
6 other sergeant?

7 A. That's correct.

8 Q. After the initial meeting with Meek, did you have
9 any other meetings with her?

10 A. In regards to the specific topic?

11 Q. No. Just any meetings at all.

12 A. There are section meetings and a N1 supervisor
13 meeting.

14 Q. How many section meetings?

15 I'm talking about during the time that Garvin was
16 there.

17 More than ten?

18 A. No.

19 Q. More than five?

20 A. No.

21 Q. Somewhere between one and five?

22 A. Yes.

23 Q. And do you recall when they occurred?

24 A. No.

25 Q. Do you recall who was there when these section

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1 meetings happened?

2 A. Generally, it's the personnel assigned to Bomb K9
3 supervisors if they're working that day. We try to make it
4 where it was of inclusion of a training day so we have more
5 personnel there than a normal operational setting.

6 Q. Of the one to five section meetings where Meek was
7 there, do you recall anything that she discussed?

8 MR. KONG: Objection. Vague. Overbroad.

9 You can answer.

10 THE WITNESS: No.

11 BY MR. SALUTE:

12 Q. Did you ever have any one-on-one meetings with Meek
13 after the first section meeting that she had where she talked
14 about moving three K9 pairs over to Bomb Squad?

15 A. No.

16 Q. Did you ever have any meetings -- maybe not
17 meetings, but did you have any one-on-one conversations with
18 her?

19 A. I had a conversation with her once, yes.

20 Q. And do you recall when that was?

21 A. Sometime in 2016.

22 Q. And was that in person, or was that over the phone,
23 or how did that occur?

24 A. In person.

25 Q. And where did that take place?

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1 A. It began at Terminal 1 at the airport, Los Angeles
2 International Airport.

3 Q. And what was going on at Terminal 1 when you had
4 this conversation?

5 A. Nothing was going on.

6 Q. Were you expecting her to be there?

7 A. No.

8 Q. So she just showed up and started talking to you?

9 A. She was there speaking with Officer Ara Hollenbeck,
10 and I drove up.

11 Q. And so tell me what happened.

12 A. I got out of my car. Captain Meek and Ara
13 Hollenbeck appeared to conclude their conversation and spoke
14 briefly to both of them, and he walked off, and then Captain
15 Meek and I walked around the central terminal area which is
16 the CTA at LAX, discussed the wide variety of topics, what
17 her expectations of supervisors were.

18 And that was it.

19 Q. Do you recall anything that she was -- do you recall
20 anything that she said specifically other than just general
21 terms that you used?

22 A. She wanted the field supervisors, myself, and my
23 partner, to do a little more of the administrative work and
24 have Lieutenant Garvin get into the field or see training a
25 little bit more.

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1 Q. And did you say anything to her?

2 A. Yes.

3 Q. What did you say to her?

4 A. I don't recall specifically, but just in response to
5 the conversation.

6 Q. What did you say?

7 A. I have no idea, specifically.

8 Q. Generally, you know.

9 A. We talked about the airport, the airport
10 environment, working relationship with the airport personnel.
11 And that was it.

12 Q. Did she ask you anything specifically about Garvin
13 and his supervision of the unit?

14 A. Nothing.

15 Q. Other than saying that she wanted you and your
16 partner at the time -- well, who was your partner at the
17 time?

18 A. Deana Stark was there.

19 Q. Meek was saying to you that she wanted you and Deana
20 Stark to do more of the admin work in the unit and that she
21 wanted to give Garvin more into the field, something like
22 that?

23 A. Yes.

24 Q. And did she say anything else about Garvin and his
25 supervision of the unit?

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1 A. No.

2 Q. And how did the conversation end?

3 A. Just ended and saying goodbye.

4 And that was it.

5 Q. After that conversation did you have any further
6 conversations with Kathy Meek about Garvin or his supervision
7 of the unit during the time that he was the officer in
8 charge?

9 A. No.

10 Q. Going back to the overtime issue, did you ever hear
11 a rumor that Sauvao wanted or believed that he was entitled
12 to overtime because he was offering training to other
13 handlers?

14 A. Yes.

15 Q. What did you hear?

16 A. That handlers were giving Mark Sauvao their mail
17 overtime opportunities to stay in good graces with them so he
18 would continue to train them.

19 Q. Do you recall when that rumor surfaced?

20 A. Somewhere in late 2015, early 2016.

21 Q. How did you hear that rumor?

22 A. Deana Stark and I had a discussion, and she
23 mentioned it to me.

24 Q. And after you heard that did you report it to
25 anybody?

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1 A. I can't say for certain if I told Lieutenant Garvin
2 or not or if Deana Stark and I did.

3 I don't recall that one.

4 Q. Did you ever go talk to Sauvao about that rumor?

5 A. No.

6 Q. Did you talk to any of the handlers about whether,
7 you know, just inquire as to whether that rumor was true or
8 not?

9 A. No.

10 Q. Do you know whether Deana did?

11 A. I don't know.

12 Q. Did she ever tell you she did?

13 A. I don't recall if she did or not.

14 Q. To this day do you know whether this rumor was true
15 or not true?

16 A. I have no idea.

17 Q. Do you know whether anything was done to look into
18 that issue?

19 A. We restructured the mail overtime sign-up
20 opportunities to ensure things like that won't happen and to
21 make it fair.

22 So if handlers wanted to have multiple ones, and
23 they became available, there was equal opportunity to have
24 multiple overtime shifts.

25 Q. And when was -- would have been around the same time

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1 as the rumor surfaced?

2 A. Yes.

3 Q. Now, after Kathy Meek became captain did you ever
4 become aware that from other handlers or supervisors that she
5 was going to them and inquiring about how Garvin was as a
6 supervisor?

7 A. Yes.

8 Q. And do you recall when that was that you learned
9 that?

10 A. Beginning of 2016.

11 Q. And how did you find out that information?

12 A. Handlers disclosed it to me.

13 Q. Do you recall anybody specifically that told you
14 that?

15 A. Yes.

16 Q. Who?

17 A. Ara Hollenbeck, Eric Young, Albert Franko.
18 And that's all I'm aware of.

19 Q. Do you recall what Ara Hollenbeck told you?

20 A. Ara Hollenbeck told me that their discussion was
21 Captain Meek asked them to "Tell me something about the
22 lieutenant so I can get him out of here."

23 Q. And could you recall anything else that Hollenbeck
24 told you?

25 A. Yes.

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1 Q. What else?

2 A. He told me the day that I drove up to the terminal
3 area, Terminal 1, when I saw him and Captain Meek, that's the
4 day that she was inquiring about it with him.

5 Q. Did he say -- did he disclose to you what he told
6 her, if anything, about Garvin?

7 A. Yes.

8 Q. What did he say?

9 A. Vaguely, that he said there was no issues.

10 Q. And then another person you said was -- did you say
11 Young?

12 A. Yes.

13 Q. And what did Young tell you about what Meek was
14 asking him?

15 A. Asking if there was anything that he didn't like
16 about the lieutenant.

17 Q. And did he say what he told Meek?

18 A. Yes.

19 Q. What did he tell Meek?

20 A. He said that he didn't have issues, and there was
21 nothing to report to her.

22 Q. And do you recall when Young told you this
23 information?

24 A. Over on the same time of early 2016.

25 Q. And then the third person you mentioned was

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1 Franko?

2 A. Yes.

3 Q. Do you recall what Franko told you?

4 A. Franko told me that Lieutenant Meek had have stopped
5 at the Bomb K9 Section area, somewhere around the airport,
6 and asked him information about the lieutenant and inquired
7 about anything negative.

8 Q. And did he disclose to you what he told Meek?

9 A. No, he did not.

10 Q. Did he ever disclose to you that he did have any
11 issues with Garvin?

12 A. Yes.

13 Q. What did Franko say about Garvin?

14 A. Franko said that Lieutenant Garvin sent too many
15 e-mails.

16 Q. And did he say anything else about Garvin?

17 A. No.

18 Q. Did he jut basically convey to you that Garvin sent
19 too many e-mails and he didn't like that or something?

20 A. Franko had responded that we're not an e-mail kind
21 of group.

22 Q. Do you know what he meant by that?

23 MR. KONG: Objection. Speculation.

24 You can answer if you know.

25 THE WITNESS: That they didn't want to be bothered

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1 by the content of the e-mails and the information being
2 passed along, and why was he sending e-mails when he was
3 home.

4 BY MR. SALUTE:

5 Q. Okay. Did you get e-mails from Garvin?

6 A. Yes.

7 Q. Were you ever offended by any of the e-mails that
8 were sent by Garvin?

9 A. No.

10 Q. Were there ever a time when Garvin sent an e-mail
11 that you felt was inappropriate?

12 A. No.

13 Q. Anything else that you recall that Franko said about
14 Garvin and his supervision in the unit?

15 A. No.

16 Q. Okay.

17 MR. SALUTE: Why don't we take a break for a couple
18 minutes.

19 (Recess taken.)

20 BY MR. SALUTE:

21 Q. I want to kind of switch topics a little bit.

22 I want to ask you, Kathy Meek signed a declaration,
23 and I want to ask you a couple of things that she put in
24 here.

25 Okay? One of the things that she says is that,

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1 "Second, I heard that Garvin lacked strong interpersonal and
2 communication skills necessary for him to relate and
3 communicate well with his subordinates."

4 Did you ever hear from anybody in the Bomb Detection
5 K9 Unit that Garvin lacked strong interpersonal skills?

6 A. Could you define what you mean by interpersonal
7 skills so to make sure we're on the same wave length?

8 Q. I have no idea. I don't know what it means.
9 I'm just going based on what she said.

10 A. No.

11 Q. Did anybody ever, within the Bomb Detection K9 Unit,
12 ever tell you that Garvin lacked communication skills
13 necessary for him to relate and communicate well with his
14 subordinates?

15 A. Yes.

16 Q. What did you hear?

17 A. From handlers at times when somebody -- e-mails
18 would be sent out that although there would be clear
19 direction on how to do something, the "why" was not always
20 included in there. So there was times that I would ask why,
21 and I would convey that to the troops, and that's some of the
22 things that I had heard.

23 Q. So when you were saying that you would ask the
24 "why," you're just saying that you would talk to Garvin about
25 why there was certain things communicated to you and the

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1 handlers in an e-mail?

2 A. Yes.

3 Q. And then he would communicate that to you and you
4 would then turn around and tell the handlers?

5 A. Yes.

6 Q. Other than the e-mail issue, was there anything else
7 that you heard from any of the handlers or anybody else
8 within Bomb K9 Unit that Garvin lacked communication skills
9 necessary for him to relate and communicate well with his
10 subordinates?

11 A. No.

12 Q. Next comment in here is, "I heard from several of
13 Garvin's subordinates that he often used profanity and
14 abusive language while at work and bullied his employees."

15 So my question to you is: Did you ever hear from
16 any handlers or anybody else within the K9 Unit that Garvin
17 often used profanity?

18 A. No.

19 Q. Did you ever hear him use profanity?

20 A. No.

21 Q. She says that she heard from several of Garvin's
22 subordinates that he used abusive language while at work and
23 bullied his employees.

24 Did you ever hear from anybody that Garvin used
25 abusive language while at work and bullied his employees?

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1 A. No.

2 Q. Did you ever see him use abusive language while at
3 work?

4 A. No.

5 Q. Did you ever see him bully his employees?

6 A. No.

7 Q. Did he ever bully you?

8 A. No.

9 Q. It also says that, "I also heard that Garvin was not
10 a visible supervisor."

11 Was Garvin a visible supervisor, based on your
12 observations?

13 A. Yes.

14 Q. In other words, did he go out in the field?

15 A. At times.

16 Q. Did you feel that he should have gone out in the
17 field more?

18 A. Yes.

19 Q. Did you feel that somehow him not going out in the
20 field hindered his ability to be an effective supervisor?

21 A. No.

22 Q. The next comment in her declaration is that, "Garvin
23 did not make himself available or accessible to his
24 subordinates out in the field to lend his supervision,
25 assistance, or guidance, opting, instead, to remain in the

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1 LAX office."

2 So my question to you is: Did Garvin make himself
3 available or accessible to subordinates?

4 A. Yes.

5 Q. Did he lend supervision, assistance, and guidance,
6 to his subordinates?

7 A. Yes.

8 Q. Next comment is, "As a result, I learned that BDCS
9 suffered from low morale which concerned me as a supervisor."
10 Did Bomb Detection K9 Unit suffer from low morale
11 when Garvin was the officer in charge?

12 A. Not in my opinion.

13 Q. Based on your observations within the officers that
14 you supervised on afternoon section, did they ever convey to
15 you or make it known to you in some way that they were
16 suffering from low morale?

17 A. No.

18 Q. Did you ever observe that they were suffering from
19 low morale?

20 A. No.

21 Q. Do you believe that during the time that Garvin was
22 the officer in charge of Bomb Detection K9 Section, that he
23 caused the unit to suffer from low morale?

24 A. No.

25 Q. Another comment that she makes in her declaration is

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1 that, "Garvin decided unilaterally to assign traffic citation
2 books to the Bomb K9 handlers so they could perform traffic
3 enforcement."

4 Do you recall that occurring?

5 A. I recall that topic coming up, but I don't know if
6 he assigned traffic citation books.

7 Q. What do you recall about the topic coming up?

8 A. Discussing other things that the handlers could do
9 during their tour or duty on a daily basis instead of waiting
10 for a call to come out.

11 We encouraged as supervisors the handlers to be
12 proactive instead of reactive, to look for unattended bags,
13 unattended vehicles, anything that became suspicious instead
14 of either sitting in the car, staying stationary at a
15 particular place. Some of the discussion was, perhaps,
16 writing parking citations. There's many vehicles there on a
17 regular basis over a 20-hour period when the handlers are
18 assigned from day to p.m. watch; that there is unattended
19 vehicles.

20 And then the officers also have an opportunity to
21 write moving violations, traffic citations for anything that
22 they saw in the LAX area working there. There is an
23 astronomical amount of traffic violations on a daily basis.

24 So those are some of the things that we, as
25 supervisors, which is spear-headed by Lieutenant Garvin to

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1 discuss with the handlers to make their day more eventful, to
2 keep themselves busy, to give them the opportunity to do
3 something different, and to provide a better service, and
4 just in general, be proactive.

5 Q. And was that sort of something that was discussed
6 collectively amongst you three as supervisors, or -- by
7 three, I mean, the two sergeants and the lieutenant, or was
8 that something that Garvin just unilaterally came up with and
9 implemented?

10 A. There was discussions. I had discussion with
11 Lieutenant Garvin about some of the things that they could be
12 doing which is the things that I just mentioned.

13 And I don't know if he had a conversation with Mitch
14 Lamdin individually, and I don't recall if there was a time
15 where a discussion occurred between the three supervisors,
16 but I don't think there was any one specific discussion which
17 was focused on that particular topic.

18 It may have come up and just -- a random, you know,
19 a random number of topics.

20 Q. Was there some instruction given to the officers to
21 conduct more traffic enforcement, then?

22 A. I don't recall what the exact discussion was in
23 regards to that.

24 Traffic enforcement is different than the parking
25 violations.

1 Q. Right. Let me say it this way.

2 Was there some discussion with the officers, then,
3 to enforce parking and traffic laws and all that kind of
4 stuff?

5 A. Yes.

6 Q. Did they give some push-back to that?

7 A. A little bit.

8 Q. What was the issue that the officers had?

9 A. My opinion was they just didn't want to do it.
10 They didn't want to do more. They didn't want to be
11 proactive, and they didn't want to do more stuff in their day
12 or to, in essence, provide a better quality of service.

13 Q. Were there some officers in particular that you
14 heard from that gave push-back?

15 A. Yes. A couple.

16 Q. Who were those?

17 A. Albert Franko was one. Bryan Whiteman was another
18 one, John Borquez and John Long, Tom Deluscia, Scott Schube,
19 and Mark Sauvao.

20 Q. And was it your opinion that writing citations for
21 traffic enforcement or parking violations somehow impeded the
22 mission of the Bomb Detection K9 section?

23 A. No.

24 Q. *Now, I want to talk you to about a personnel
25 complaint that was brought against Garvin and [REDACTED].

1 Is it okay if we talk about that?

2 MR. KONG: I'm going to object based on the Pitchess
3 grounds.

4 I'm instructing the witness not to respond to any
5 questions as it pertains to any disciplinary action as it
6 pertains to [REDACTED].

7 You can certainly talk about [REDACTED] specific role as a
8 percipient witness in the investigation as it pertains to
9 Lieutenant Garvin, but as far as anything that personally
10 relates to [REDACTED], I'm going to instruct him not to
11 respond.

12 MR. SALUTE: *What if he want to respond?

13 MR. KONG: Well, we're going to instruct the
14 Pitchess instructions -- instruct the witness not to
15 respond.

16 MR. SALUTE: Okay. Well, I'll ask him anyway.

17 BY MR. SALUTE:

18 Q. Do you recall a complaint being made by Police
19 Officer Franko and Leslie Salinas in or about February of
20 2017?

21 A. Yes.

22 [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

1

Category	Percentage
1	100%
2	95%
3	15%
4	90%
5	95%
6	45%
7	100%
8	98%
9	95%
10	98%
11	98%
12	95%
13	15%
14	65%
15	98%
16	98%
17	60%
18	25%
19	25%
20	98%
21	35%
22	95%
23	85%
24	98%
25	98%

██████████

████████████████████

████████████████████

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1

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

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A horizontal bar chart consisting of 20 black bars. The bars are arranged vertically, with their lengths varying significantly. The longest bar is the 10th bar from the top, extending nearly to the right edge of the image. Other bars of similar length include the 11th, 12th, and 13th. The shortest bars are the 5th and 19th, which are much shorter than the others. The bars are distributed across the vertical space, with some gaps between them.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

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[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

1

A horizontal bar chart with 20 categories, each represented by a black bar. The bars are arranged vertically and vary in length, indicating different values for each category. The categories are not labeled with text, only with a single number '1' at the top left.

Category	Value (approximate)
1	85
2	95
3	100
4	45
5	90
6	25
7	85
8	95
9	100
10	90
11	25
12	85
13	45
14	90
15	95
16	55
17	85
18	25
19	90
20	100
21	95
22	15
23	85
24	25
25	90

1 [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

7 [REDACTED].

8 BY MR. SALUTE:

9 Q. Officer Sauvao claims that he experienced bullying,
10 harassment, derogatory, racial remarks, and discrimination
11 from Raymond Garvin, [REDACTED], and [REDACTED].

12 So my question to you is: Did you ever observe any
13 conduct from Raymond Garvin that you observed or characterize
14 as bullying?

15 MR. KONG: As it by pertains to Lieutenant Garvin,
16 you can certainly answer the questions, but as it pertains to
17 any other officer that is not subject of this lawsuit,
18 plaintiff or party to this lawsuit, I would instruct you not
19 to answer based on Pitchess grounds.

20 THE WITNESS: To answer your question about
21 Lieutenant Garvin, no.

22 BY MR. SALUTE:

23 Q. Did you ever observe any conduct by Garvin against
24 Sauvao, that you would characterize as harassment?

25 MR. KONG: Again. I'm going to give you the same

██████████

10/10/2016

1 [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

7 Q. Now, in April of 2016 do you recall an incident
8 where Ara Hollenbeck was engaged in, like, a TSA
9 certification test or some kind of process?

10 A. Yes.

11 Q. Were you present when that occurred?

12 A. Yes.

13 Q. Do you recall at some point some issues arising
14 about whether there was some kind of interference by somebody
15 or some kind of tampering, for lack of a better term, with
16 the certification process?

17 A. Yes.

18 Q. What do you recall occurring?

19 MR. KONG: I'm going to just instruct the witness to
20 not disclose any information, otherwise, that would be
21 contained in the Pitchess records of another officer.

22 You can talk in general about any specific issue as
23 Mr. Salute has inquired about, but don't identify any names.

24 All right. Go ahead.

25 MR. SALUTE: Well, that's not true either, Dennis.

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1 He was present when this occurred, and he is
2 entitled, and I'm entitled to his personal knowledge about
3 and observations about what occurred.

4 MR. KONG: You're certainly entitled to that
5 information. I'm not disagreeing with you on that. As far
6 as --

7 MR. SALUTE: So then why are you telling him that he
8 can't --

9 MR. KONG: Hold on. Hold on. Listen.
10 You're going to get the information, but you know
11 we're going to go ahead and we're going to provide you with
12 information that doesn't run a foul of any potential
13 Pitchess, obligations that we have to either Sergeant Goens
14 or any other officer. I've stated this and restated this
15 over and over again on the record.

16 So I'm not going to withhold you from doing your
17 discovery, but where it starts to running a foul at potential
18 Pitchess, obligations that the City has, and also obligations
19 that Sergeant Goens has to other officers regarding their
20 personnel files, we are not going to respond and give you
21 that information --

22 MR. SALUTE: I didn't ask for a single thing in some
23 of these personnel files related to the TSA certification --

24 MR. KONG: Listen. Both you and I we're not acting
25 in a -- we're not operating in -- both you and I know where

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1 you're going, what area you're going. We know that the
2 subject matter about which you're about to inquire on is
3 subject of an investigation.

4 So that's why I'm pre-instructing Sergeant Goens not
5 to respond by disclosing information -- don't roll your eyes,
6 man.

7 All right. No. Serious. Don't roll your eyes.

8 You know exactly what Pitchess stands for, and so
9 we're just going to assert that whenever we need to assert
10 it, and I'm going to ask Sergeant Goens to go ahead and abide
11 by that.

12 Okay? So he and I are not in violation of any
13 Pitchess rights of any other officer.

14 All right. We're good.

15 All right. Go ahead.

16 THE WITNESS: I am aware that there was an
17 allegation that something occurred during the course of a TSA
18 evaluation where an officer involved in the evaluation
19 allegedly did something in which to cause another officer to
20 struggle or potentially fail the evaluation.

21 BY MR. SALUTE:

22 Q. Okay. Now, I guess here's what I'm going with this.

23 Did Hollenbeck come to you and make a complaint to
24 you that he believed that there was some tampering that
25 occurred, or did he go to somebody else?

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1 That's what I'm trying to get to.

2 A. It wasn't me.

3 Q. Who did he go to, if you know?

4 A. He reported it to Sergeant Stark.

5 Q. But you were there when the testing occurred?

6 A. Yes.

7 Q. Okay. And at the time that testing occurred, were
8 you Hollenbeck's supervisor, or was it Stark?

9 Do you remember?

10 A. I don't recall, to be honest.

11 Q. Were you present when he talked to Stark?

12 A. No.

13 Q. Where were you at the testing?

14 A. There was a variety of responsibilities and the
15 security of the explosive training aids. The monitoring of
16 the officers to make sure that the integrity is held to the
17 highest standard and to overall generally supervise part of
18 the evaluation. The evaluation sometimes occurs in areas
19 where other people can't get to. So supervisors and/or
20 observers, if there is any, might not be able to see a
21 portion of it because of the limited confines of some of
22 these evaluations occurring.

23 Q. So you're just there to offer your assistance in
24 making sure that everything was properly supervised?

25 A. Yes.

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1 Q. Okay. Fair enough.

2 Now, after -- how did you become aware that
3 Hollenbeck had made his complaint or issues regarding the
4 testing known to Stark?

5 A. In October of the same year Lieutenant Garvin called
6 me. I was on a day off. He asked me if I was home. He said
7 I need to stop over and talk to you. It's highly concerning
8 when your boss says that. So I stayed home, and he informed
9 me that there was allegations of a compromised evaluation.

10 Q. Any other issues that he raised?

11 A. He made the statements that there was a possible
12 tampering to potentially make somebody fail a particular
13 portion of an evaluation.

14 Q. Now, as you sit here today do you recall -- I
15 thought you said Hollenbeck did fail part of the test?

16 A. I don't think I said that.

17 Q. Maybe I missed it.

18 Do you know what the results of the testing were,
19 that certification testing with Hollenbeck?

20 A. Not independently, no.

21 Q. Now, at the time that Hollenbeck was doing his
22 certification testing, do you recall what the certification
23 was for?

24 A. I don't understand exactly what you're trying to get
25 to.

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1 Q. When you came into the unit, and was it 2012?

2 A. Yes.

3 Q. Was Sauvao the trainer, the dog handling trainer?

4 A. No.

5 Q. Do you know when he became one of the trainers?

6 A. Maybe around late 2014, early 2015, in that
7 neighborhood.

8 Q. And at that time was he the only trainer within the
9 unit?

10 A. No.

11 Q. Do you recall who the other trainer was?

12 A. Scott Schube.

13 Q. At some point was there a trainer position open
14 after -- at some point did Schube leave?

15 A. Yes.

16 Q. Did he retire?

17 A. Promoted.

18 Q. Okay. So he left the unit?

19 A. Yes.

20 Q. And that made trainer position available; right?

21 A. Yes.

22 Q. And do you recall what was done to fill that trainer
23 position?

24 A. Advertisement through personnel.

25 Subsequently, it was posted on the department

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1 website and applications were accepted and interviews were
2 held.

3 Q. Were you involved in that process?

4 A. Yes.

5 Q. What was your involvement?

6 A. Part of the interview board panel.

7 Q. Who else was part of the interview board?

8 A. Lieutenant Garvin and Deana Stark.

9 Q. At some point did the three of you decide on one or
10 more potential people to fill the position?

11 A. Yes.

12 Q. Was that a collective decision?

13 MR. KONG: Objection. Vague.

14 You can answer if you understand.

15 BY MR. SALUTE:

16 Q. In other words, did the three of you collaborate in
17 deciding who the position was going to be filled by?

18 A. Yes.

19 Q. And who did you decide on?

20 A. If I may, I think from a time perspective, after
21 Scott Schube left, Deana Stark was not on the next interview
22 board after Scott Schube left. It was Mitch Lamdin.

23 Q. Okay.

24 A. And Melhog [phonetic] was selected.

25 Q. At some point do you know how long he was trainer

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1 for?

2 A. Not a long time, may be a year.

3 Q. And then he left the unit?

4 A. Yes. Promoted.

5 Q. And then so that made the position again
6 available?

7 A. Yes.

8 Q. And then there was a promotional exam again?

9 A. Yes.

10 Q. Were you part of the board?

11 A. Yes.

12 Q. And this time Stark was part of the board?

13 A. Yes.

14 Q. And Garvin?

15 A. I believe so, yeah.

16 Q. And who was -- and you collectively decided on
17 somebody?

18 A. Yes.

19 Q. And who is that person?

20 A. Ara Hollenbeck.

21 Q. Do you remember who else was interviewed for that
22 position?

23 MR. KONG: Objection. Hold on.

24 Objection based on Pitchess. I instruct the witness
25 not to identify any of the other candidates for the position.

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1 MR. SALUTE: The names of people who --

2 MR. KONG: You're getting into potential selections,
3 selection candidates for a position. I'm not going to have
4 him answer any questions or any inquiries about that.

5 MR. SALUTE: You're suggesting that those are
6 personnel files?

7 MR. KONG: Correct. It's all pertaining to
8 individual personnel files of each of those individual
9 officers who ultimately applied and were graded accordingly
10 and put in whatever poll, outstanding -- whatever criteria
11 was used to --

12 MR. SALUTE: I wasn't going to ask him that.

13 I was going to ask him whether anybody from the Bomb
14 Detection K9 Unit interviewed for the position.

15 MR. KONG: He can answer that without identifying
16 any, if there were any.

17 Go ahead.

18 THE WITNESS: Yes.

19 BY MR. SALUTE:

20 Q. Do you recall how many there were?

21 A. Two others, other than the one that was selected.

22 Q. At the time that Hollenbeck was selected -- well, at
23 the time that Hollenbeck was interviewed, was he already part
24 of the Bomb Detection K9 Unit?

25 A. Yes.

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1 MR. SALUTE: *And you're not going to allow him to
2 identify the other two?

3 MR. KONG: No.

4 MR. SALUTE: And why is that?

5 MR. KONG: Because again, that's all part of the
6 selection packet. That would be considered part of the
7 personnel file for these officers, and you need to file a
8 Pitchess motion to inquire that information.

9 MR. SALUTE: Okay. I'm going to ask it. You can
10 assert the objection.

11 BY MR. SALUTE:

12 Q. *What are the names of other two officers that
13 were interviewed that were already on the Bomb Detection K9
14 Unit?

15 MR. KONG: Same objections, same instructions.

16 BY MR. SALUTE:

17 Q. So I'm sorry.

18 You said that Hollenbeck was the collective choice
19 for the trainer position; right?

20 A. Yes.

21 Q. And was there some push-back from the officers
22 within the Bomb Detection K9 Unit about his selection?

23 A. Yes.

24 Q. What was the issue?

25 MR. KONG: Objection. Foundation.

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1 You can answer if you know.

2 THE WITNESS: The issue was it was brought to my
3 attention by a handler, the other trainer, that he felt that
4 Hollenbeck wasn't the best candidate, and I knew from my
5 experience working there that another candidate was much
6 closer and much more aligned in the thought process of
7 Sauvao, and Sauvao wanted that particular person just because
8 the guy did everything Sauvao said.

9 BY MR. SALUTE:

10 Q. *And who was that person?

11 MR. KONG: Objection. Pitchess.

12 Same instruction.

13 BY MR. SALUTE:

14 Q. Was there push-back by Sauvao himself about the
15 selection of Hollenbeck?

16 A. Yes.

17 Q. Did he talk to you?

18 A. Yes.

19 Q. And that's what he said?

20 A. Yes.

21 Q. That he felt that this other guy was a better fit?

22 A. A better candidate and would do a better job.

23 Q. All right. Give me a minute.

24 Let me see if there's anything else.

25 (Discussion held off the record.)

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1 BY MR. SALUTE:

2 Q. You came into the Bomb Detection K9 Section in -- I
3 thought you said March of 2012?

4 A. Yes.

5 Q. And from March of 2012 to the present, have you been
6 employed in the same position continuously?

7 A. Yes.

8 Q. During the time that -- oh, now, Captain Meek came
9 in, I believe, 2016, 2015, something like that?

10 Do you remember?

11 A. I believe it was March of 2016, around that
12 period.

13 Q. Okay. Now, at or about the time that she became the
14 captain, did you ever hear any rumors about her being
15 involved in any kind of a personal or romantic relationship
16 with Officer Deluscia?

17 A. Yes.

18 Q. And what did you hear?

19 A. Heard that they had a relationship, was more than
20 just a professional relationship, and the perception by the
21 people who discussed this with me told me that or gave me
22 their opinion that it was a dating relationship.

23 Q. Did you observe anything from and after the time
24 that Meek became the captain, that you believed caused any
25 kind of favoritism in terms of working environment or

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1 benefits or anything like that to Deluscia?

2 A. Could you restate the question?

3 Q. Sure. Did you observe anything that, in your
4 opinion, seemed to suggest to you that Deluscia was getting
5 any kind of more favorable treatment by Meek than maybe
6 others officers in the unit?

7 MR. KONG: Objection. Foundation. Speculation.
8 Go ahead.

9 THE WITNESS: Yes.

10 BY MR. SALUTE:

11 Q. What did you observe?

12 A. Tom Deluscia was part of a non-TSA, the City Teams,
13 and at that transition when it was announced that Captain
14 Meek was going to take the position of emergency services
15 division, he was one of the ones that was transferred from
16 the command, of the Bomb K9 Section that Lieutenant Garvin
17 was the OIC of, away from Lieutenant Garvin Bomb K9 Section
18 to Downtown, the Bomb Squad. In addition, he was selected as
19 a Bomb Tech, and that's the position that he currently holds.

20 He was also chosen to go to New York with some of
21 the Bomb Techs to discuss some of the operational procedures
22 with the Bomb Techs, despite the fact, he was at the time, a
23 K9 handler. I don't know what the rationale of the selection
24 was, but it's unusual that you send a K9 officer with Bomb
25 Techs to talk about bomb tech stuff.

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1 Q. But those three things lead you to believe that he
2 was getting some sort of preferential treatment?

3 MR. KONG: Same objection. Foundation.
4 Speculation.

5 Go ahead.

6 THE WITNESS: In my opinion, yeah.

7 BY MR. SALUTE:

8 Q. Did you ever observe anything else other than those
9 three things that lead you to believe that maybe the rumors
10 about the personal relationship or dating relationship
11 between Deluscia and Meek might have been true?

12 A. Yeah.

13 Q. What else?

14 A. They were very friendly with each other, more
15 friendly than many co-workers in public settings.

16 I saw them at a meeting with several supervisors at
17 the Bomb K9 office in discussion with bomb, procedures, and
18 relations with -- you have relationship with the K9,
19 personnel, and bomb techs.

20 They were sharing a bag of chips. From a distance
21 it seemed a little bit more friendly than me just sharing
22 with a peer of mine.

23 Q. Okay. Did Garvin ever express to you that he felt
24 that Meek was going to retaliate against him when she became
25 captain because of his relationship with Deluscia?

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1 A. Yes.

2 Q. Her relationship with Deluscia --

3 A. Yes.

4 Q. What did he say?

5 A. He was fearful that he may be removed.

6 Q. Did he say why?

7 A. Because Tom Deluscia had the ear of the captain.

8 Q. Did Tom Deluscia have an issue with Garvin?

9 MR. KONG: Objection. Foundation. Speculation.

10 THE WITNESS: In my opinion, yes.

11 BY MR. SALUTE:

12 Q. Did he ever tell you that he had some issues with
13 Garvin?

14 A. He told me that --

15 MR. KONG: It's just a yes or no.

16 THE WITNESS: Yes.

17 BY MR. SALUTE:

18 Q. Okay. What did you tell you?

19 A. He told me that Lieutenant Garvin tried to hold him
20 accountable too much.

21 Q. Anything else?

22 A. Not that I recall, no.

23 Q. Did Garvin ever tell you that he had expressed some
24 concerns to Captain Incontro or Captain Solano about Meek's
25 relationship with Deluscia?

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1 A. Yes.

2 Q. What did he say?

3 A. He told me that he reported that, the rumors of the
4 relationship to both of them, and thought that that was not a
5 good idea that she become the commanding officer of the
6 division where he worked.

7 MR. SALUTE: Okay. So here's what I'm going to do.

8 I'm not going to close the deposition. I'm going to
9 suspend the deposition until such time as I get the Pitchess
10 documents which I'm going to file a Pitchess motion.

11 And then I'll probably have you come back here --

12 THE WITNESS: Okay.

13 MR. SALUTE: -- to answer questions about some of
14 the Pitchess documents.

15 So again, I'm not closing the deposition, but this
16 volume will be closed, and what we'll do is stipulate to
17 relieve the court reporter of her duties under the Code with
18 respect to custody of the original transcript which will be
19 sent to Mr. Kong's office and provided to you to read and
20 review and sign under penalty of perjury, and you'll have 30
21 days from the date he provides it to you to do that, and you
22 can make changes on a separate sheet and provide the changes
23 to him, and he'll provide the changes to me, if there are
24 any.

25 And then Mr. Kong's office will retain custody of

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1 the original and make it available for any proceeding in this
2 matter; and that if the original is unsigned or unavailable,
3 a certified, unsigned copy can be used in lieu of the
4 original.

5 MR. KONG: So stipulated.

6 (Deposition proceeding concluded at 12:17 p.m.)

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1 DECLARATION UNDER PENALTY OF PERJURY

2

3 Case Name: Raymond Garvin vs. City of Los Angeles

4 Date of Deposition: June 25, 2019

5 Job No.: 248882

6

7 I, _____, hereby certify

8 under penalty of perjury under the laws of the State of

9 California that the foregoing is true and correct.

10 Executed this _____ day of _____,

11 20____, at _____, California.

12

13

14

15

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17 _____

18 RANDY GOEN

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